Unmanned combat air vehicles — i.e. ‘drones’ — have become a prominent instrument in US efforts to counter objective (and subjective) cross-border terrorist threats with lethal force. As a result, critical questions abound on the legitimacy of their use. In a series of multidisciplinary essays by scholars with extensive knowledge of international norms, this book explores the question of legitimacy through the conceptual lenses of legality, morality and efficacy; it then closes with the consideration of a policy proposal aimed at incorporating all three indispensable elements. This book seeks to come to grips with the new reality of drone warfare by exploring if it can be used to preserve, rather than eat away at, legitimacy.

Targeted killing by remote-control with unmanned drones may be the future face of war. Drones reduce the cost of using force, and tempt states to resort to force more readily. Legitimacy and Drones brings together a multinational group of scholars to ask all the right questions — when are drones lawful, ethical, and effective, and what limits must be imposed on their use. An invaluable collection on one of the most pressing issues of our time.

— David Cole, Georgetown University Law Center, USA

This timely, rich and occasionally provocative volume will help set the parameters of debate and legal reflection on the vital questions posed by the use of drones, not least the fundamental relationship between legality, morality and legitimacy.

— Philippe Sands QC, University College London, UK
Opening Remarks

Moderator: Nicolas Levrat, Professor, Faculty of Law & Global Studies Institute at the University of Geneva

15h15 Legitimacy through Legality
Gloria Gaggioli, Assistant Professor, Faculty of Law at the University of Geneva

15h45 Legitimacy through Morality
Avery Plaw, Professor of Political Science, University of Massachusetts, Dartmouth

16h15 Legitimacy through Efficacy
Steven J. Barela, Assistant Professor, Global Studies Institute at the University of Geneva

16h45 Questions

17h30 Coffee Break

Moderator: Andrea Bianchi, Professor, The Graduate Institute, Geneva

18h “Drone Court” Proposal
Amos Guiora, Professor, S.J. Quinney College of Law at the University of Utah

18h25 Law in a “Drone Court”
Frédéric Bernard, Senior Lecturer, Global Studies Institute at the University of Geneva

18h50 An Assessment of the Proposal
Marco Sassòli, Professor, Faculty of Law at the University of Geneva

19h Questions

19h30 Aperitifs

Gloria Gaggioli is Assistant Professor and Grant Holder of Excellence at the University of Geneva. She holds a PhD in international law, an LLM and MA degree. She has notably published a monograph on the right to life in armed conflicts, L’influence mutuelle entre les droits de l’homme et le droit international humanitaire à la lumière du droit à la vie (Editions A. Pedone 2013).

Avery Plaw is Professor of Political Science at the University of Massachusetts, Dartmouth. He specializes in political theory and international relations, with a particular focus on strategic studies. In 2008, he published Targeting Terrorists: A License to Kill? in Ashgate’s Ethics and Global Politics series.

Steven J. Barela is Assistant Professor at the University of Geneva in the Global Studies Institute and is a member of the Law Faculty. Along with a PhD in law, he holds an LLM and two MA degrees. His monograph exploring the theory of “legitimacy as a target” is entitled, International Law, New Diplomacy and Counterterrorism: An Interdisciplinary Study of Legitimacy (Routledge 2014).

Amos N. Guiora is Professor of Law and Co-Director of the Center for Global Justice at the S.J. Quinney College of Law at the University of Utah. He served for 20 years in the Israel Defense Forces as Lieutenant Colonel (retired) and held senior command positions where he took part in targeted killing decisions in his capacity as a JAG officer.

Frédéric Bernard is Senior Lecturer at the University of Geneva, and has been admitted to the Geneva Bar. He has published a monograph on the relationship between the rule of law and the fight against terrorism, L’Etat de droit face au terrorisme (Schulthess 2010), along with several articles on the subject.

Marco Sassòli is Professor of International Law and Director of the Department of International Law and International Organization at the University of Geneva. He has published widely on international humanitarian law, human rights law, international criminal law, the sources of international law, the responsibility of states and non-state actors, and Swiss constitutional law.